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TC 2800 MAIL ROOM  
Patent  
HF-54

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Walter Hörburger, et al  
Serial No: 09/759,543  
U.S. Filed: 1/12/2001  
For: LEVEL  
Examiner: 2859  
Art Unit: Gail Kaplan Verbitsky

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE


SIR:

In response to the office action dated April 3, 2003,  
applicants request reinstatement of the appeal.

A supplemental Brief on Appeal is being filed concurrently  
herewith.

The Examiner will note that the Appeal Brief has been amended to state that claims 2 to 5 stand or fall with claim 1. Accordingly, a discussion of the newly cited reference to Richardson, cited in rejecting claims 3 and 5, is not necessary.


Respectfully submitted,

By   
Friedrich Kueffner  
Reg. No. 29,482  
317 Madison Avenue, Suite 910  
New York, New York 10017  
(212) 986-3114

Dated: May 20, 2003

**MAILING CERTIFICATE**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231, on May 20, 2003.

By:  Date: May 20, 2003  
Friedrich Kueffner